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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|-----------------|-------------|----------------------|---------------------|------------------|
| 09/801,878      | 03/09/2001  | Carl Dionne          | 1561-67             | 6698             |

7590 08/02/2004

NIXON & VANDERHYE P.C.  
8th Floor  
1100 North Glebe Road  
Arlington, VA 22201-4714

EXAMINER

BAROT, BHARAT

ART UNIT

PAPER NUMBER

2155

DATE MAILED: 08/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/801,878

Applicant(s)

DIONNE ET AL.

Examiner

Bharat N Barot

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 09 March 2001.  
2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-23 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☒ Claim(s) 1-21 is/are allowed.  
6) ☒ Claim(s) 22 is/are rejected.  
7) ☒ Claim(s) 23 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 10/29/2001.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

#### **Specification**

1. The title of the invention is not descriptive. A new title is required that is clearly indicative of the invention to which the claims are directed.

#### **Claim Objections**

2. Claims 12-20 are objected to because of the following informality:
  - a. Claims 12-16 line 1 contain "claim 1" should be **--claim 11--**;
  - b. Claim 17 line 1 contains "claim 6" should be **--claim 16--**;
  - c. Claims 18-20 line 1 contain "claim 1" should be **--claim 11--**; and
  - d. Claim 20 line 1 contains "Apparatus" should be **--Method--**,which are typographical errors. Appropriate corrections are required.

#### **Claim Rejections - 35 USC § 102**

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claim 22 is rejected under 35 U.S.C. 102(b) as being anticipated by Takimoto (U.S. Patent No. 6,041,350). Takimoto's patent meets all the limitations for claim 22 recited in the claimed invention.

5. As to claim 22, Takimoto discloses a computer-readable memory System having computer-readable data stored therein (abstract; and figure 1), comprising: local objects (MO); duplicated objects (DMO); and program instructions to equip the local objects with attributes and manage the duplication thereof (summary of the invention; figure 1; column 5 lines 41-52; column 6 lines 3-22 and 29-62; column 7 lines 8-17; and column 9 lines 17-24).

#### **Allowable Subject Matter**

6. Claims 1-21 are allowable over the prior art of record, and claim 23 is objected to as being dependent upon a rejected base claim 22, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

7. The examiner has found that the prior art of record shows similar limitations but not in the same scope, arrangement, or combination of a computer system, method, and computer-readable medium having instructions for managing the duplication of the objects comprising: equipping an object with attributes; matching the object attributes with the attributes of an object amongst all of the objects stored in another terminal/computer; duplicating the object from the another terminal/computer to the computer system; accessing data in the duplicated object using locally executed object instructions; and maintaining data consistency between the duplicated objects at set forth in the independent claims 1, 11, and 21 and dependent claim 23.

#### **Additional References**

8. The examiner as of general interest cites the following references.
- a. Nakayama et al, U.S. Patent No. 6,493,748.
  - b. Sugano et al, U.S. Patent No. 6,205,478.
  - c. Murakami et al, U.S. Patent No. 5,522,041.

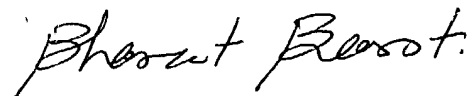
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**Contact Information**

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bharat Barot whose telephone number is (703) 305-4092. The examiner can normally be reached on Monday-Friday from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alam, Hosain, can be reached at (703) 308-6662. A central official fax number is (703) 872-9306.

Any inquiry of general nature or relating to the status of this application should be directed to the group receptionist whose telephone number is (703) 305-3900.



**BHARAT BAROT  
PRIMARY EXAMINER**

Patent Examiner Bharat Barot

Art Unit 2155

July 19, 2004